

DISTRICT COURT OF THE STATE OF NEW YORK
COUNTY OF SOUTHERN

CARMELO GONZALEZ,

- against -

SOUTH'S BAR AND RESTURANT AND 273 CHURCH STREET
ASSOCIATES,

Petitioner(s)

Plaintiff(s)

Defendant(s)

Respondent(s)

ATTORNEY

COLEMAN

22148

RETURN DATE

INDEX NO

08 CIV 4060

INDEX DATE

4/30/2008

CALENDAR NO

3rd PARTY INDEX#

JUDGE DANIELS

STATE OF NEW YORK: COUNTY OF NASSAU

SS:

AFFIDAVIT OF SERVICE

THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION
AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 5/3/2008 at 5:35 PM at 273 CHURCH STREET NEW YORK, NY 10013

deponent served the within SUMMONS IN A CIVIL ACTION AND COMPLAINT

upon

273 CHURCH STREET ASSOCIATES

☒ Said Documents Were Properly Endorsed with the
Index Number and Date of Filing thereon

witness/defendant/respondent (hereafter called the recipient) therein named.

A. Individual By Personally delivering to and leaving with said individual, and that he knew the person so served and described as recipient therei

☐B. Corp/ ☒ By delivering to and leaving with BENJAMIN WEINSTOCK and that he knew the person
so served and authorized to accept service to ☐ an officer ☐ Director ☒ managing agent or general agen ☐ cashier ☐ AsstCashier
Prtshp ☐ Agent authorized by appointment or by law to receive service.C. Suitable Age Person By delivering thereat a true copy of each to a person of suitable age and discretion.
Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the stateD. Affixing to Door, Etc. By affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place
☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age
discretion, thereat, having called there☐

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Deponent talked to

who stated that recipient ☐ lived ☐ worked there.E. Mailing W/B, C or On Deponent completed said service under the last two sections by mailing a copy of
the above named process by First Class Mail addressed to the witness/defendant/respondent to the above address of service which
is recipient's: ☐ last known residence ☐ last known place of business (with additional endorsement of Personal and Confidential
on face of envelope.)☐☐ RPAPL 735 An additional mailing by Certified Mail was made to the respondent at the premise sought to be recovered.F. DRL Sec232 The required notice was legibly printed on the face of the summons. I identified the defendant by photograph annexed hereto
which was provided by the plaintiff.☐G. SEX SKIN COLOR HAIR COLOR AGE (approx.) HEIGHT (approx.) WEIGHT (approx.)
Description M WHITE SALT & PEPPER 65 5'4" 140
☒ OTHER GLASSES, BALDING

Sec.8001Fee A fee of \$0.00 , pursuant to CPLR Section 8001, was tendered to the witness.

☐Military I asked the person spoken to whether the defendant/respondent was in active military service of the United States or of the
State of New York in any capacity whatever and received a negative repy. Defendant/Respondent wore ordinary civilian
clothers and no military uniform. The source of my information and the grounds of my belief are the conversations and
observations above narrated. Upon information and belief I aver that the defendant/respondent is not in the military service of
New York State or of the United States as the term is defined in either the State or in the Federal statutes.☐

Sworn Before me this day 5 of

MAY

2008

DONNA L. ODRISCOLL
NOTARY PUBLIC, State of New York
No. 01OD6126123
Qualified in Nassau County
Commission Expires on 4/25/2009

DAVID A SMITH #0912050


(NOTARY PUBLIC)